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Council On Affordable Housing

NEWSLETTER

January 2005

Greetings from DCA Commissioner and COAH Chair Susan Bass Levin

Greetings to All,

As you know, COAH's third round rules went into effect on December 20, 2004, and will provide a more comprehensive approach to creating affordable housing throughout New Jersey. The new methodology represents a comprehensive overhaul of the existing COAH system, and uses "growth share" to determine affordable housing obligations that are consistent with sound land use planning and smart growth.

It is important that you find out how the new rules will affect your municipality. We have heard from many municipalities who are interested in learning more about the new rules. To best serve all of our local government leaders we are currently working with the League of Municipalities and the New Jersey Chapter of the American Planning Association to communicate information about the third round rules to all parties.

COAH staff will be conducting a series of workshops around the state in the coming weeks on the new rules. Stay tuned for more information about dates and locations. As always, COAH staff is ready to assist you with any questions about the new rules, and to help you to determine how your town is affected. If you would like more information about the new third round rules, do not hesitate to contact COAH or visit the COAH website at www.state.nj.us/dca/coah/.

I hope you enjoy the January issue of the COAH newsletter.

Thank you to everyone at COAH for all of their hard work.

Very truly yours,


Susan Bass Levin
Commissioner

ATTENTION: Municipalities That Petitioned COAH but Did Not Receive Second Round Substantive Certification

To remain under COAH's jurisdiction, a municipality that petitioned but has not received second round substantive certification as of December 20, 2005 must submit a resolution from the governing body by February 20, 2005 that commits to file or petition for third round substantive certification in accordance with N.J.A.C. 5:94 and N.J.A.C. 5:95 by December 20, 2005. Letters were sent out to the mayors of the 46 applicable municipalities on January 7, 2005 advising them of the deadline and providing a model resolution. Any questions should be directed to the municipality's COAH planner.



Substantive Certifications

At its December 15, 2004 meeting, COAH granted six-year substantive certification to Totowa Borough (Passaic County), Holland Township (Hunterdon County), Galloway Township (Atlantic County), Manasquan Borough (Monmouth County), Tinton Falls Borough (Monmouth County), and Montvale Borough (Bergen County). COAH also granted interim substantive certification to Vernon Township (Sussex County), Teaneck Township (Bergen County), Green Township (Sussex County), and Little Falls Township (Passaic County). Interim substantive certifications are granted to municipalities who petitioned COAH after June 6, 2000 and are valid until December 20, 2005.

Totowa Borough—Totowa has a cumulative fair share obligation of 255 units with 40 rehabilitation units and 215 new construction units. Totowa is entitled to a vacant land adjustment, reducing the obligation to a Realistic Development Potential (RDP) of 50 units and an unmet need of 165 units. The RDP is addressed with 32 post-1986 credits, 10 rental bonuses and a proposed eight-unit regional contribution agreement (RCA) with Cliffside Park, Bergen County. The 165-unit unmet need is addressed with 26 post-1986 age-restricted credits and a development fee ordinance.

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Substantive Certifications Issue

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*COAH Planner James Cordingley, Mayor John Coiro,
COAH Executive Director Lucy Voorhoeve*

Holland Township – Holland has addressed its 1987-1999 cumulative fair share obligation of 47 units, consisting of 16 new construction units and 31 rehabilitation units, through 26 rehabilitation credits for units previously rehabilitated, a five-unit municipal rehabilitation program, a 10-unit accessory apartment program, a four-unit RCA with the City of Lambertville and a proposed inclusionary development which will contain four affordable age-restricted units. The Township's plan produces a two-unit surplus that may be carried forward into the third round. COAH also granted a waiver from the center designation requirement for an age-restricted inclusionary development in Planning Area 5.



*COAH Planner Maria Giovine, COAH Executive Director Lucy Voorhoeve,
Mayor Bernard O'Brien, and Edward Jan Burdzy,
Holland Township Committeeman and member of Planning Board.*

Galloway Township – Galloway has a 12-year cumulative obligation of 409 units, consisting of an 81-unit rehabilitation obligation and a 328-unit new construction obligation. Galloway's plan includes 420 credits and rental bonuses comprised of 81 rehabilitation credits, 63 prior cycle credits, 44 credits for existing alternative living arrangements, 57 completed for-sale units, 66 completed age-restricted rental units, 61 zoned rental family units and 48 rental bonuses providing a surplus of 11 units and an

excess of 18 age-restricted units, which may be carried to satisfy a future affordable housing obligation.



*COAH Executive Director Lucy Voorhoeve, COAH Planner Barbara Walsh,
Galloway Township Manager Jill A. Gougher, and Housing Administrator
Linda McDevitt.*

Manasquan Borough – Manasquan Borough has a fair share obligation of 175 units, consisting of a 26-unit rehabilitation obligation and a 149-unit new construction obligation. Manasquan received a vacant land adjustment as part of its first round substantive certification that reduced its new construction component to zero. Manasquan's RDP remains zero. After applying 13 credits for eligible rehabilitation activity and a 149-unit vacant land adjustment, Manasquan proposes to address its remaining 13-unit rehabilitation obligation through a rehabilitation program and its unmet need through an existing development fee ordinance and an overlay zone.



*COAH Planner Sean Thompson, Consultant Planner Tom Thomas, COAH
Executive Director Lucy Voorhoeve, Manasquan Borough Administrator
John Trengrove, and Mayor Richard Dunne.*

Tinton Falls Borough – Tinton Falls Borough has a fair share obligation of 634 units, including a rehabilitation obligation of 12 units and a new construction obligation of 622 units. After applying 559 credits, the Borough has a second round remaining obligation of 75 units, consisting entirely of new construction. Tinton Falls' obligation is addressed through zoning on two inclusionary sites. COAH also granted a waiver

Substantive Certifications...continued

from COAH's bedroom distribution requirements at N.J.A.C. 5:93-7.3, on a project-by-project basis, because the proposed bedroom distributions will balance out to provide municipal-wide compliance with COAH's regulations. In addition, the Borough proposed a 50-unit RCA with the City of Trenton, which is not needed to address the Borough's remaining obligation, and will be acted upon at the January 2005 COAH meeting.



COAH Planner Sean Thompson, Mayor Ann Y. McNamara, COAH Executive Director Lucy Voorhoeve.

Montvale Borough – Montvale Borough has a fair share obligation of 255 units, which has been reduced to a 188-unit Realistic Development Potential as a result of a vacant land adjustment. Montvale's Plan includes 22 units that have been built, 122 units that are zoned and/or the subject of developer agreements, 40 rental bonuses and 59 RCA units for a total of 243 units, bonuses and RCAs. The Borough has provided for 55 units above its RDP, which will be applied against a 68-unit unmet need. Montvale's Plan also proposes to meet its remaining 12 units of unmet need through zoning for 32 units that may result in 20 surplus units if the units are built. COAH also granted a waiver from COAH's bedroom distribution requirements at N.J.A.C. 5:93-7.3, on a project-by-project basis because the proposed bedroom distributions will balance out to provide municipal-wide compliance with COAH's regulations.



COAH Executive Director Lucy Voorhoeve, COAH Planner Barbara Walsh, Mayor George B. Zeller, Montvale Borough Administrator John T. Doyle, and Montvale Borough Planning Board Chair John DePinto.

Vernon Township – Vernon Township has a 1987-1999 pre-credited need of 131 units comprised of a 71-unit rehabilitation obligation and a 60-unit new construction obligation. Vernon addressed its second round obligation through three group home credits, three rental bonus credits and three RCAs transferring a total of 54 units. Twenty units will be transferred to Ogdensburg, 20 units will be transferred to Ridgefield and 14 units will be transferred to Passaic City. The Township will fulfill its remaining 71-unit rehabilitation obligation through a rehabilitation program established by the Township.



COAH Executive Director Lucy Voorhoeve and Vernon Township Special Counsel Stuart Koenig.

Teaneck Township – Teaneck Township has a 12-year cumulative fair share obligation of 294 units, consisting of 103 rehabilitation units and 191 new construction units. The Township addressed its 1987-1999 fair share obligation with 82 rehabilitation credits, a 21-unit rehabilitation program, 170 prior-cycle credits, 29 group home credits, five rental bonuses, and nine for-sale credits, resulting in a 22-unit surplus.



COAH Executive Director Lucy Voorhoeve, Mayor Jacqueline Kates, Teaneck Township Attorney Stanley Turitz, Deputy Mayor Deborah Veach, and Consultant Planner Richard Preiss.

Green Township – Green Township has a 12-year cumulative fair share obligation of 30 units, consisting of 11 rehabilitation units and 19 new construction units. Green

Substantive Certifications...continued

addressed its second round obligation through an ongoing rehabilitation program, three prior-cycle credits, four group home credits, four rental bonuses, and an RCA with the City of Hoboken to transfer 13 units, resulting in a five-unit surplus.



COAH Executive Director Lucy Voorhoeve and Deputy Mayor Roger Michaud.

Little Falls Township - Little Falls Township has a cumulative fair share obligation of 160 units with 59 rehabilitation units and 101 new construction units. Little Falls is entitled to a vacant land adjustment, reducing the obligation to an RDP of 10 units and an unmet need of 91 units. The RDP is addressed with a proposed seven-unit regional contribution agreement (RCA)

with Cliffside Park, Bergen County and a proposed three-unit RCA with Paterson City, Passaic County. The 91-unit unmet need is addressed with overlay zoning and a development fee ordinance.

Attention Municipal Officials - Development Fee Monitoring Forms Mailed Out

COAH's annual monitoring forms for Development Fees will be mailed out separately in the beginning of January with return deadlines of Friday, March 18, 2005. The development fee monitoring applies to all municipalities with COAH or Court approved Development Fee Ordinances, Spending Plans, payments in lieu of construction or other developer's agreements. Forms will be mailed out to the municipal representative designated by the municipality on the prior year forms. If no municipal representative was designated, the forms will be sent to the municipal clerk. If your municipality has not received your forms by early February, contact Larissa Gunder at (609) 633-9575.

Susan Bass Levin
Commissioner
NJ Department
of Community Affairs



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